



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 09/14/2022

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
AUGUST 24, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, August 24, 2022, at 7:00 p.m.

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.). Consistent with AB 361 and Town of Los Gatos Resolution 2021-044, all planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Melanie Hanssen, Vice Chair Jeffrey Barnett, Commissioner Kylie Clark, Commissioner Kathryn Janoff, Commissioner Reza Tavana, and Commissioner Emily Thomas
Absent: Commissioner Steve Raspe

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approval of Minutes – August 10, 2022

MOTION: Motion by Commissioner Clark to approve adoption of the Consent Calendar. **Seconded by Commissioner Thomas.**

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 17291 Wedgewood Avenue

Architecture and Site Application S-21-027

APN 409-14-013

Applicant: Edick Lazari

Appellant: Douglas Scott Maynard

Property Owner: Young Kim

Project Planner: Sean Mullin

Consider an Appeal of the Development Review Committee to approve a request for construction of a new single-family residence and site improvements requiring a grading permit on property zoned R-1:8.

Vice Chair Barnett indicated that he would recuse himself from participating in the public hearing for 17291 Wedgewood Avenue due to personal reasons.

Sean Mullin, Associate Planner, presented the staff report.

Opened Public Comment.

Douglas Scott Maynard, Appellant

- We are asking to reduce the size and mass of the proposed two-story home at 17291 Wedgewood. The mass and height of the home would not be consistent with the homes in the immediate neighborhood, as stated in the Residential Design Guidelines, because 100 percent of the houses in the immediate neighborhood have one-story rooflines. Additionally, our property adjoins on the left side toward the rear where our pool and garden are, and the proposed project would totally eliminate our back yard privacy, which we have had for 27 years. Our issue is not that the proposed house is two stories, but the height and the mass of the house. The story poles for the project are twice as high as the houses in the immediate neighborhood.

Claire Han, Applicant

- My parents are the homeowners of the subject property at 17291 Wedgewood Avenue. In addition to meeting the basic findings required for approval, the proposed plan has also been designed and further revised in careful consideration of its potential impact on surrounding neighbors. Building a single-story home would not be feasible due to a number of site constraints, including: a required 20-foot right-of-way dedication; another 10-foot utility easement; offsets for trees to remain on the property; the converted ADU; a two-car garage with storage; and a back yard further restricts the potential buildable area. Two story homes in the vicinity are neither unprecedented nor out of character, and are compatible with the existing immediate neighborhood. The majority of the neighbors support the proposed plan. The Appellant and their son have expressed concerns

regarding the potential loss of privacy for a portion of their shared yard, but changes to the ground floor have been made to address these concerns by moving the home closer to Wedgewood and modifying the building envelope to provide additional setbacks. The building footprint has been moved away from the Appellant's pool area, and the windows are now set back an additional 5-12 feet. The second floor now sits 75 feet away from the fence line between the subject property and the Appellant's pool area, and my parents have paid for half the costs to construct a new six-foot fence along the shared property line. They have also agreed to a condition of approval to add planting along that shared property line to provide privacy screening. There are no plans to convert the property into four units.

Douglas Scott Maynard, Appellant

- The rear of the proposed house contains a bank of windows looking toward our yard, and the story poles indicate that those windows would look into our yard. This project can be done as a one-story house. The house has been moved forward, so there are no setback problems; the garage is extra large and could be reduced; the patio could be eliminated and made into house area; and the back yard area could give them a few hundred more feet. Altogether they could get at least 2,400 feet out of the house plus their 955 square foot basement, equaling 3,359 square feet, which should be plenty for them. Other neighbors I've talked to are unhappy about two-stories going into this neighborhood. If built, this home will change the entire neighborhood, which is made up of small lots on a small street.

Will Maynard

- I am the Appellant's son and live at 14344 La Rinconada Drive. I appreciate the effort the Applicants have gone through to address our privacy concerns, but they are not sufficient. If this house is approved as a two-story, there is nothing preventing the rest of the neighborhood from building up and looking directly into our yard. When the home next door did unpermitted construction of a garage the Town intervened and forced them to block all the windows, which preserved their privacy, which we are now at risk of losing again.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to deny an appeal of the Development Review Committee, subject to an additional condition of approval that the construction management plan shall restrict vehicles, material, or traffic of the construction crew from using Browns Lane. **Seconded by Commissioner Clark.**

Commissioner Clark requested the motion be amended to add "with the recommendation

that the Applicant consider planting more trees.”

The maker of the motion accepted the amendment to the motion.

VOTE: Motion passed unanimously.

3. Review and Recommendation of the Draft Objective Standards to the Town Council

Sean Mullin, Associate Planner, presented the staff report.

Opened Public Comment.

Rob Moore

- I support the objective standards and thank the Commission and staff for their hard work in putting this together. These objective standards will do a lot to streamline the planning process while ensuring high-quality projects. The prospect of objective standards is incredibly exciting to the people I have spoken with.

Bess Wiersema, Studio 3 Design

- I represent your local architects including Gary Kolhsaat, Louie Leu, Tom Sloan, Jay Plett, Noel Cross, Terry Martin, Bob Flury, Jennifer Kretschmer, and Tony Jeans. We have reviewed the document and met to figure out how to best support the Town in streamlining the process for permitting, but also allow for design guidelines and objective standards that would provide a positive built environment for the Town. We have significant concerns about what we see in the draft documents and request this be continued and that the Commission lean on its local architects and designers to help define details that are applicable to the Town and community. This document creates a rule of thumb that can be used by everyone for essentially design by numbers, which means you end up with a project that looks exactly like what the diagram defines. We're also very concerned that several of the items within each of the categories are not relative to a positive built environment and do not reflect local standards for other communities that are similar in size and scale to ours. We're concerned that the diagrams shown in the document are limiting in terms of form and proportion. We respect that the Commission is trying to streamline the process by objectifying subjective design standards; however, that is not the definition of good design. Trying to objectify guidelines and subjective rules is something everyone wants to do because we're trying to make it easier for people to understand what to design to get approved and make it easier for the Commission to support or not support a proposal, and request that you respect the fact that there are items already part of the permit process: peer review through the Town's consulting architect; public comment on projects; and a robust conversation around them. Many of the architecture features suggested only reflect traditional detailing and architecture. How will more modern elements be classified, and who judges if a proposed element meets this definition? The danger is that only traditional architecture will meet these qualifications,

and that is not necessarily relevant for multi-family. We are available to answer questions and have categorized each section and have concerns and options we would be willing to share.

Lee Quintana

- I encourage you to consider meeting with the architects of the Town. Objective standards are a good way to speed up the processing of projects, but the standards have to be easily understood by everyone who sees them. I agree with Bess Wiersema that the illustrations in these objective standards tend to make one think that all these buildings are going to be absolutely symmetrical, square, street facing, and boring. I think we need objective standards, but I'd like staff to explain what these particular standards apply to and why they are being developed, because it is my understanding they will only apply to very specific projects, not every project, and that it is not clear what projects the objective standards apply to.

Closed Public Comment.

Commissioners discussed the matter.

Opened Public Comment for a specific question.

Planning Commission questions of Bess Wiersema followed.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Barnett** to continue the public hearing to a date certain of September 14, 2022. **Seconded by Commissioner Clark.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Jennifer Armer, Planning Manager

- None.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Housing Element Advisory Board

Chair Hanssen

- HEAB met August 18, 2022 to review the entire Draft Housing Element. The draft document will be released for public comment before being forwarded for review to Housing and Community Development, who will ultimately certify the document.

Historic Preservation Committee

Commissioner Clark

- HPC met on August 24, 2022 and approved two requests for removal from the historic resources inventory, approved construction of an addition to a building in the Downtown Historic Commercial District, and forwarded a recommendation to the Community Development Director on allowing variances to an accessory structure.

ADJOURNMENT

The meeting adjourned at 9:26 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the August 24, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin